

## Letter Template - Request for State UST Enforcement Discretion

Dear

I am writing on behalf of the \_\_\_\_\_ Association (assoc. initials). (assoc. initials) represents wholesale and retail petroleum marketers throughout the state, most of whom own and operate underground storage tank systems. As you know, the Department of Homeland Security (DHS) recently issued guidance to assist state and local governments identify essential workforce it recommends remain operational during the COVID-19 emergency. Petroleum marketers are among those the DHS considers essential to support and maintain critical infrastructure and emergency services.

(assoc. initials) is hearing from members that it is becoming increasingly difficult to remain operational due to federal, state and local travel and social distancing limitations currently in place to stop the spread of the COVID-19 virus. Specifically, members are reporting difficulty finding available, vendors, equipment, workforce and supplies needed to conduct routine UST compliance activities including UST integrity testing, inspection, monitoring, reporting, sampling and training requirements.

(assoc. initials) is requesting the agency issue temporary enforcement discretion that allows petroleum marketers to suspend or defer compliance with these UST requirements should it become impracticable due to the limitations imposed by COVID-19 emergency. (assoc. initials) is not requesting a waiver or suspension of any UST regulatory requirement that would endanger public health or the environment. The U.S. EPA along with 5 state UST authorities recently issued similar enforcement discretion for facilities within their jurisdictions. (assoc. initials) urges you to issue enforcement discretion as soon as possible to ensure an uninterrupted supply of petroleum is available to those who need it.

A copy of the U.S. EPA enforcement discretion notice can be found [here](#). The DHS guidance on essential critical infrastructure workforce can be found [here](#).